

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA v. KURT KRUMPHOLZ	CRIMINAL ACTION NO. 15-245
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ORDER

Defendant has filed a third Motion for Compassionate Release (ECF 143), which the Government opposes. The Court does not see any reason to render a different decision than it did on the Defendant's first two similar motions. The fact that Defendant has been vaccinated is important as indicating that the risk of his contacting covid-19 while in prison is very, very low. As to Defendant's serious and under-treated cardiac condition, the Court recognizes that the Defendant has been getting medical treatment at the Danbury prison where he is confined. There is nothing in the record to indicate that he is not getting adequate care. The Government asserts that the Defendant can initiate an administrative proceeding to try and secure relief under the Prison Litigation Reform Act. The Government is not arguing that the administrative remedy has to be exhausted before this Court can consider compassionate release. Nonetheless, the fact that the Defendant has not pursued administrative relief is a factor that warrants denial of this third petition for compassionate release. Lastly, the Defendant's criminal conduct concerning child pornography is very, very serious and the facts underlying his guilty plea are an independent, but important, reason to **DENY** the petition.

BY THE COURT:

s/ **Michael M. Baylson**

Date: 9/20/2021

Michael M. Baylson, U.S.D.J.